

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CIVIL MINUTES – GENERAL**

Case No. SA CV 17-1167-DOC (JDEx)  
SA CV 17-1221-DOC (JDEx)

Date: November 6, 2017

Title: ASTER GRAPHICS, INC. V. STATIC CONTROL COMPONENTS, INC.  
STATIC CONTROL COMPONENTS, INC. V ASTER GRAPHICS, INC.

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PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Deborah Lewman  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR  
PLAINTIFF:  
None Present

ATTORNEYS PRESENT FOR  
DEFENDANT:  
None Present

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**PROCEEDINGS (IN CHAMBERS): ORDER GRANTING JOINT  
MOTION TO CONSOLIDATE [40]**

Before the Court is the parties' Joint Motion to Consolidate ("Motion") (Dkt. 40). The Court finds this matter appropriate for resolution without oral argument. Fed. R. Civ. P. 78; L.R. 7-15. Having reviewed the papers and considered the parties' arguments, the Court GRANTS the Motion.

Under Federal Rule of Civil Procedure 42(a), "[i]f actions before the court involve a common question of law or fact, the court may: (1) join for hearing or trial any or all matters at issue in the actions; (2) consolidate the actions; or (3) issue any other orders to avoid unnecessary cost or delay." Fed. R. Civ. P. 42(a).

The two cases that the parties seek to consolidate are patent cases involving the same parties and the same patents-in-suit. Mot. at 2. On July 7, 2017, Plaintiff Aster Graphics, Inc. ("Aster" or "Plaintiff") filed the instant action, Case No. SA CV 17-1167-DOC (JDEx), seeking declaratory relief of patent non-infringement as to patents owned by Defendant Static Control Components, Inc.'s ("Static" or "Defendant"). Complaint

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Page 2

(Dkt. 1). On July 17, 2017, Static filed its complaint in the related action, Case No. SA CV 17-1221-DOC (JDEx), claiming patent infringement on the part of Aster. Mot. at 2.

The parties jointly move to consolidate the two actions and propose that the Court designate Case No. SA CV 17-1221-DOC (JDEx) as the lead case and stay the instant case pending the resolution of Case No. SA CV 17-1221-DOC (JDEx). *Id.* Because these two cases involve the same parties and the same patents-in-suit, the Court finds good cause to exercise its discretion to consolidate the cases. However, the Court declines to designate the high number case as the lead case.

For the foregoing reasons, the Court GRANTS the Joint Motion to Consolidate.

Case Number SA CV 17-1167-DOC (JDEx) shall be consolidated with Case Number SA CV 17-1221-DOC (JDEx). All future filings shall be filed only under the low number case, SA CV 17-1167-DOC (JDEx). Case Number SA CV 17-1221-DOC (JDEx) shall be CLOSED (JS-6).

The Scheduling Conference set for November 13, 2017 at 8:30 a.m. is rescheduled to November 20, 2017 at 8:30 a.m.

The Clerk shall serve this minute order on the parties.

MINUTES FORM 11  
CIVIL-GEN

Initials of Deputy Clerk: djl